



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Tuesday, the Thirteenth day of March Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

WEB COPY

CMP(MD) No.1572 of 2018
IN
CMA(MD) No.SR49846 of 2017

THE MANAGER,
THE ORIENTAL INSURANCE COMPANY LIMITED,
KAMALA SUBRAMANIAM ARCADE,
1ST FLOOR, NO.2851/35, TRICHY MAIN ROAD,
TANJAVUR.

... PETITIONER/APPELLANT

Vs

1 DAISY FLORA
2 MARIA FRANCIS
3 SNOPHIA CHRISTY HEMALATHA
4 CHANDRAN

... RESPONDENTS/RESPONDENTS

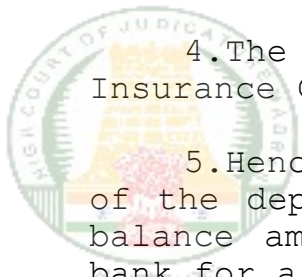
Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to condone the delay of 634 days in preferring the above Civil Miscellaneous Appeal against the order dated 14/12/2015 made by the Motor Accident Claims Tribunal cum Special District Court, Thanjavur in MCOP.No. 570 of 2014.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.C.JAWAHAR RAVINDRAN, Advocate for the petitioner and of MR.P.SESUBALAN RAJA, Advocate for R1 to R3 the court made the following order:-

The learned counsel for the petitioner and the learned Counsel for R1 to R3 are present. Heard. This petition is filed to condone the delay of 634 days in preferring appeal before this Court against the award dated 14.12.2015.

2.Today the learned counsel for the petitioner submitted proof of deposit for a sum of Rs.33,42,502/- by way of NEFT to the account of Tribunal. Hence, the conditional order dated 21.02.2018 is properly complied with.

3.The learned counsel for the respondent / claimant submits that he has no objection to condone the delay of 634 days in preferring the appeal and seeks permission to withdraw 50% of the deposited amount from the court below.



4.The learned counsel for the petitioner / appellant / Insurance Company has no objection for granting such permission.

5.Hence, the respondents 1 to 3 are permitted to withdraw 50% of the deposited amount from the court below on application. The balance amount shall be deposited in any one of the nationalized bank for a period of one year.

6.The reasons assigned in paragraph no.5 of the affidavit is perused and considered. Hence, the delay is condoned and the petition in C.M.P.(MD)No.1572 of 2018 is allowed. Registry is directed to list the appeal.

sd/-
13/03/2018

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

THE SPECIAL DISTRICT JUDGE
MOTOR ACCIDENT CLAIMS TRIBUNAL, THANJAVUR

+1. C.C. to M/S.P.SESUBALAN RAJA Advocate SR.No.4005

ORDER
IN
CMP(MD) No.1572 of 2018
IN
CMA(MD) No.SR49846 of 2017
Date :13/03/2018

MKV-VR-VK/27.4.2018/2P-3C